

R E M A R K S

Claims 1-4 and 6-10 are pending. No new matter has been added by way of the above amendment. For instance, the recitation of "tertiary aryl amine" in the claims has been changed to "triarylamine." Also, as requested by the Examiner at the Interview conducted on September 9, 2004, each of claims 1, 6 and 7 has been amended to include language similar to claim 8 regarding the amounts of compound (A) and/or compound (B). Applicants submit that these amendments are non-narrowing in nature and serve only to clarify the currently claimed subject matter. Applicants have also added new claim 10 directed to a method of preparing the organic electroluminescent material according to claim 8. This claim is supported claims 7 and 8. Accordingly, no new matter has been added.

Applicants submit that entry of claim 10 is proper. Claim 10 does not present a burden of additional search and/or consideration on the part of the Examiner since this process claim depends from or otherwise includes all of the limitations of allowable product claim 8.

In view of the following remarks, Applicants respectfully request that the Examiner withdraw all rejections and allow the currently pending claims.

Issues Under 35 U.S.C. §102(b)

The Examiner has rejected claims 1-4, 6-7 and 9 under 35 U.S.C. § 102(b) as being anticipated by Hung et al., USP 6,069,442 (hereinafter referred to as Hung '442). Applicants respectfully traverse this rejection.

Hung '442 fails to suggest or disclose a method for preparing the purified triarylamine recited in the current claims. That is, since Hung '442 fails to suggest a method for obtaining triarylamine containing 0.5 wt% or less of compound (A) and/or 1 wt% or less of compound (B), Hung '442 fails to achieve the currently claimed subject matter. Accordingly, no anticipation exists.

The previously submitted Declaration (submitted on April 15, 2004), explained that conventional methods are unable to achieve the purity of triarylamine as currently claimed. Thus, since Hung '442 fails to present any evidence to indicate that a method other than a conventional method is used, the reference is cumulative to the cited art already addressed and overcome by Applicants.

On the Interview Summary from the Interview dated September 9, 2004, the Examiner stated as followed

Examiner suggested amending claim 1 to language similar to claim 8, reciting a triarylamine used in an OLED that has "an impurity compound (A) possessing one less nitrogen atom forming triarylamine and/or compound (B) possessing one or more nitrogen atom forming

diarylamino groups than said tertiary aryl amine and contains 0.5 wt.% or less of compound (A) and/or 1 wt.% or less of compound (B)." Examiner also suggested amending claims 6 and 7 similar to claims 1 and 8 to overcome the Hung reference.

Although Applicants believe that each of the independent claims recites the same subject matter dealing with the amounts of compounds (A) and/or (B), the Examiner apparently prefers the language as recited in claim 8. Accordingly, Applicants have adopted the language of claim 8 (with the change of "tertiary aryl amine" to "triarylamine") in each of claims 1, 6 and 7.

In view of the above, Applicants respectfully request that the Examiner withdraw the anticipation rejection based upon Hung '442.

Issues Under 35 U.S.C. §103(a)

The Examiner has rejected claim 8 under 35 U.S.C. § 103(a) as being obvious over Hung '442. Applicants respectfully traverse this rejection.

As discussed above, Hung '442 is unable to achieve the currently claimed subject matter. The Examiner has asserted that there is motivation to "optimize" the amounts of impurity (A) and/or (B). However, Applicants disagree. Without the ability to achieve the levels of compounds (A) and/or (B) as currently claimed, no amount of optimization would allow Hung '442 to achieve the subject matter recited in claim 8. Accordingly, this

Serial No.: 10/060,203

rejection is improper and should be withdrawn.

Also, based upon the Interview conducted on September 9, 2004, it appears as though the Examiner considers claim 8 to be allowable. Accordingly, Applicants submit that the Examiner has failed to present hypothetical *prima facie* case of obviousness. Reconsideration and withdrawal of the outstanding rejection is respectfully requested.


If the Examiner has any questions concerning this application, please contact Craig A. McRobbie, Registration No. 42,874 at the offices of Birch, Stewart, Kolasch & Birch, LLP.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

GMM/CAM:bmp
1752-0154P

By  #42,874
Gerald M. Murphy, #28,977
P. O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000